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Filing date: **04/28/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92061040
Party	Plaintiff Neogen Corporation
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Submission	Motion for Default Judgment
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Signature	/Brittany D. Parling/
Date	04/28/2015
Attachments	Neogen Request for Entry of Default.pdf(10067 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Neogen Corporation,

Petitioner,

Cancellation No. 92061040

vs.

Registration No. 3926253

Medicadet Medical Design and  
Manufacturing, LLC,

Date of Issue: March 1, 2011

Respondent.

Mark: NEOGEN

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**REQUEST FOR ENTRY OF DEFAULT**

Pursuant to 37 C.F.R. § 2.114(a) and Trademark Trial and Appeal Board Manual of Procedure §§ 312.01 and 508, Petitioner Neogen Corporation respectfully moves the Trademark Trial and Appeal Board to enter a default judgment against Respondent Medicadet Medical Design and Manufacturing, LLC, as Respondent has failed to timely file a answer to the Petition for Partial Cancellation.

Petitioner filed a Petition for Partial Cancellation of Registration No. 3926253, which was electronically transmitted to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on March 10, 2015. (Doc. No. 1.) The Petition for Partial Cancellation was served via first class mail on Respondent and the attorney of record as listed in the US PTO database known as TESS.

On March 11, 2015, the Board instituted the proceeding and allowed Respondent 40 days, or until April 20, 2015, for Respondent to file an Answer to the Petition for Partial Cancellation. (Doc. No. 2.) Petitioner has no record of Respondent having served Petitioner with

its Answer and a search of the TTAB website similarly reveals that no Answer has been filed. Accordingly, Petitioner respectfully requests that a default be entered.

Dated: April 28, 2015

Respectfully submitted,

HONIGMAN MILLER SCHWARTZ AND  
COHN LLP

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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the foregoing REQUEST FOR ENTRY OF DEFAULT was served on Respondent as identified by the records of the U.S. Patent and Trademark Office, this 28th day of April, 2015, by sending same via Federal Express to:

Werner H. Stemer  
Lerner Greenberg Stemer LLP  
P.O. Box 2480  
Hollywood, FL 33022

Medicadet Medical Design and Manufacturing, LLC  
1911 NW 150 Avenue #201  
Pembroke Pines, FL 33028

/Brittany D. Parling/  
Brittany D. Parling

**CERTIFICATE OF FILING**

I hereby certify that on April 28, 2015, I filed via electronic means (ESTTA) the foregoing REQUEST FOR ENTRY OF DEFAULT with the:

U.S. Patent and Trademark Office  
Trademark Trial and Appeal Board

By: /Brittany D. Parling/

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